

**DETERMINATION AND
FINDINGS FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO: DCKA-2018-S-0033
CAPTION: Continuation of Engineering Design Services for near term Rehabilitation of 14 th Street, SW Bridges (Bridges No. 171-1, 171-2, 171-3, 021, 1134, 1134A-1)
PROPOSED CONTRACTOR: Louis Berger (Berger)
PROGRAM AGENCY: District Department of Transportation
AUTHORIZATION: D.C. Official Code §2-354.04, 27 DCMR 1304 and 1700; 27 DCMR 1701

1. MINIMUM NEED:

The District Department of Transportation (DDOT) has an ongoing need for the Contractor to continue to perform design services for the above-captioned project for one hundred (100) days after award of this task order contract.

2. ESTIMATED REASONABLE PRICE:

The estimated fair and reasonable price for this extension is \$183,034.00

3. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

- A. Berger has provided design services for the Rehabilitation of 14th Street, SE Bridges (Bridges No. 171-1d, 171-2, 171-3, 021, 1134, 1134A since 2016 and has begun to perform a 100% hands on inspection and condition assessment of the bridges. To date, Berger has completed approximately 80% of the inspection and assessment.
- B. The inspection and condition assessment has been delayed due to third-party permitting requirements and events related to the 2017 Presidential Inauguration. In order to advance the project further, the inspection and assessment must be finalized.
- C. Having begun the initial condition assessment Berger has unique knowledge needed to complete the work and submit the final condition assessment report of the bridges.
- D. Berger has demonstrated itself to be a responsible Contractor and has the resources and personnel to continue to perform the required work in a manner satisfactory to the District. Berger has existing personnel and resources currently in place, to continue the needed service.
- E. Berger has intimate knowledge of this project and DDOT procedures and processes including project scope, history and surrounding project conditions.
- F. Re-competing the contract would likely cause the delay in competing final design and hence delay construction of the project. In addition, as Berger is currently the designer of record and has recommended various rehabilitation alternatives to the District. Only Berger can modify their design suggestions without shifting associated liability to the District.

- G. It is not feasible that another contractor could, following a competitive effort, complete the additional needed services without adding significant time and cost to the District.
- H. These services were originally competed and three vendors evaluated. Berger was the selected vendor.
- I. For the above stated reasons no market survey was conducted.

4. CERTIFICATION BY CONTRACT SPECIALIST

I hereby certify that the above findings are correct and complete to the best of my knowledge.

Date

Jeralyn Johnson
Contract Specialist

5. CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete.

Date

Jeff Marootian, Director,
District Department of Transportation

6. CERTIFICATION BY CONTRACTING OFFICER

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

William Sharp
Chief Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

George A. Schutter, III
Chief Procurement Officer